

**STATE OF ILLINOIS
ILLINOIS COMMERCE COMMISSION**

AMEREN TRANSMISSION COMPANY OF ILLINOIS)	
)	
Petition for a Certificate of Public Convenience and)	
Necessity, pursuant to Section 8-406.1 of the Illinois)	
Public Utilities Act, and an Order pursuant to Section 8-)	Docket No. 12-0598
503 of the Public Utilities Act, to Construct, Operate and)	
Maintain a New High Voltage Electric Service Line and)	
Related Facilities in the Counties of Adams, Brown,)	
Cass, Champaign, Christian, Clark, Coles, Edgar, Fulton,)	
Macon, Montgomery, Morgan, Moultrie, Pike,)	
Sangamon, Schuyler, Scott and Shelby, Illinois.)	

TESTIMONY OF RON POPHAM ON BEHALF OF COLES COUNTY LANDOWNERS

Direct Testimony Of Ron Popham

On Behalf Of

Coles County Landowners

1

2

3 **I. INTRODUCTION**

4 **Q. Please state your name and address.**

5 **A.** Ron Popham. My address is 10590 NCR 1880 E, Charleston, Illinois, 61920.

6 **II. PURPOSE OF TESTIMONY**

7 **Q. On whose behalf are you testifying in this proceeding?**

8 **A.** I am testifying on behalf of the Coles County Landowners and Popham Bros. FLP and
9 Popham Farms FLP.

10 **Q. What is the purpose of your testimony?**

11 **A.** The purpose of my testimony is to provided reasons as to why I oppose ATXI's proposed
12 345kV transmission line located on the Primary Route in Coles County.

13 **Q. Have you previously testified before the Illinois Commerce Commission ("ICC")?**

14 **A.** No.

15 **III. POPHAM BROS. FLP AND POPHAM FARMS FLP BUSINESS OPERATIONS**

16 **Q. Please tell us about your business operations with Popham Bros. FLP and Popham**
17 **Farms FLP.**

18 **A.** These are two farming operations that have been built by the hard work of several
19 generations of the Popham family. Our land consists of large sections of farm ground
20 that lays primarily east and north-east of Charleston in Coles County with other tracts in

21 Coles and Douglas Counties. We have nine other farmers who farm property that we
22 own and who work directly with us.

23 **Q. Where is your home located?**

24 **A.** My brother, Mike Popham, and I both built new homes on the land and own a 20-acre
25 lake that is located on the edge of the proposed 1100 North County Road Primary Route.
26 We both grew up in the area and have always lived within a few miles of the stone quarry.
27 We own property next the quarry and have also leased ground to the quarry.

28 **Q. How would the Primary Route affect your farming operations?**

29 **A.** If the proposed line would go down the Primary Route, it would cross approximately two
30 miles of our property. This would drastically reduce the income that we would receive
31 through renting this property because of the inconvenience and extra time that would
32 result from having to farm around the poles making the land not as desirable. Various
33 pieces of equipment, such as sprayers and planters, are used in the farming operation that
34 can be up to 120 feet wide. The sprayers we regularly use have a 120 foot boom, 60 feet
35 on each side. When a side is raised up in the air, there is concern that the sprayers will
36 come close to the power lines depending on the height of the power line. Farming around
37 the poles would be very time consuming and inconvenient.

38 **Q. How else do the power lines affect your farming operations?**

39 **A.** We use GPS for our farming and in all our equipment. The guidance systems in the
40 equipment are controlled by satellite. The magnetic field the emulates from the power
41 line interferes with the transmission of the radio frequencies and, in turn could interfere
42 with our farming operations.

43 **Q. How would the Primary Route affect your property value?**

44 **A.** The cash rent received from these properties would be less. The value of the property
45 would decrease because the lines would run across two large tracts, one that is 640 acres,
46 the other 550 acres. These tracts are more valuable because there are no obstacles found
47 in these fields. The proposed power line would lower the value of these large tracts
48 because of their size and proximity to our lake. Any future plans of having an irrigation
49 system installed would also be affected. My brother's house is eight years old and my
50 house is only six months old. The Primary Route would be as close as 250 feet to some
51 of the houses in the area, which would dramatically affect the property value. Moreover,
52 the huge power line is a big eyesore that has possible health concerns.

53 **Q. Attached to your testimony as exhibits are numerous pictures. Can you tell us about**
54 **Exhibit CCL 2.1 Photo 12, CCL 2.1 Photo 13 and CCL 2.1 Photo 14?**

55 **A.** Yes. CCL 2.1 Photo 12 is a picture of my house that I just built and moved into
56 approximately six months ago. CCL 2.1 Photo 13 is a picture that was taken from inside
57 my house looking out over the beautiful lake. The last picture, CCL 2.1 Photo 14 is taken
58 from the deck of my house and shows the majestic scenery. ATXI's Primary Route is
59 scheduled to go straight through this area ruining the picturesque view.

60 **IV. STONE QUARRY**

61 **Q. What other negative effects would ATXI's Primary Route have in the area where**
62 **you live?**

63 **A.** 1100 North County Road is the road that the Primary Route follows. This route goes
64 directly through the middle of Charleston Stone Company's future mining area. The
65 stone company is getting ready to dig up 80 feet of dirt and dynamite out limestone in an

area of over 50 acres with a possible expansion of another 100 plus acres. This stone quarry consists of approximately 700 acres and has been in existence for nearly 60 years.

Q. How is it that you know this information about the quarry?

A. I am friends with the owners of the quarry.

Q. Do you have any concerns regarding the quarry?

A. I am concerned that if ATXI follows the Primary Route, it would shorten the life span of the stone quarry. I also know a lot of the people who work at the quarry. If the Primary Route is approved, and it results in reduced quarrying operations or a shorter life to the quarry, it will greatly affect the employment in the Coles County area, as the quarry directly employs many local people. There are several concrete plants in the area, and most of the agricultural lime applied in our area comes from the quarry. All townships and government road projects and construction projects depend on the materials that are mined from this quarry.

Q. How close is the next quarry?

A. It is over 25 miles away. If the materials that Charleston Stone Company furnishes ultimately has to be transported to this area, it will put a huge strain on the roads and traffic. Many local jobs will be lost and it will be a large expense on the local business to pay for the extra transportation and road repairs.

V. BALD EAGLE HABITAT AND MAJESTIC NATURAL VIEW

Q. Is there anything else significant in the area?

A. Yes. There is an active bald eagle's nest that has two small eagles raised from this past spring. The eagles are constantly flying around the area, and the proposed Primary Route goes straight through the area where the nest is located and the eagles frequently feed

89 along the river and our lake. The construction of the power line would disturb the bald
90 eagles. I have learned that power companies have had problems with disrupting eagles'
91 nests and habitats. It is my understanding there are guidelines that must be followed when
92 installing power lines near an area where eagles habitat.

93 **Q. Attached to your testimony is CCL Exhibit 2.1 Photo 1 and 2. Can you tell us what**
94 **these two picture are?**

95 **A.** Yes. They are photograph that we took of the bald eagle's nest. CCL 2.1 Photo 1 was
96 taken in the spring of 2012. The next photo, CCL 2.1 Photo 2 was taken in March of
97 2013. The bald eagle's nest is located in the river bottom area where ATXI has proposed
98 to put the Primary Route.

99 **Q. What would the power line do to the landscape?**

100 **A.** The installation of the power line would destroy the trees and landscape, and greatly
101 diminish the value of the homes and property. My house, which I just built
102 approximately six months ago, overlooks the proposed Primary Route and is located on
103 the west side of a 20-acre lake that is on the southern edge of this proposed Primary
104 Route that is located in Section 31 Morgan Township, Coles County. The lake was built
105 by Charleston Stone Company after they removed the limestone to satisfy rules
106 established by the Department of Reclamation. There is 20 acres of water surface and in
107 places it has a depth of over 60 feet. The dam is approximately 800 feet long and 75 feet
108 tall. The lake sits next to and above the Embarras River. At normal depth the water level
109 in our lake could be 80-to-100 feet above the water in the Embarras River. Any
110 construction around the edge of this lake could result in weakness of the dam or retaining
111 walls, which would cause severe flooding downstream on the Embarras River, including

112 damage to several bridges. We picked this location for our house because of the view of
113 the wildlife that can be seen on a day-to-day basis.

114 **Q. Also attached to your testimony are pictures labeled CCL 2.1 Photo 3, CCL 2.1**
115 **Photo 4, CCL 2.1 Photo 5 and CCL 2.1 Photo 6. Explain these photographs to us.**

116 **A.** CCL 2.1 Photo 3 and CCL 2.1 Photo 4 should be placed side by side. The pictures show
117 the back side of the dam along with the water in the lake. My house is located at the top
118 of the top of the picture. In these two pictures the Embarras River is at the bottom edge
119 of the tree line.

120 **Q. What is CCL 2.1 Photo 5?**

121 **A.** CCL 2.1 Photo 5 shows a view from the bottom of the dam looking to the west. The
122 Embarras River is approximately another 20 to 25 feet below this view point. The next
123 picture shows the back side of the dam looking to the north where ATXI's Primary Route
124 would be located.

125 **Q. What does CCL 2.1 Photo 6 depict?**

126 **A.** CCL 2.1 Photo 6 shows a view from the west side of the dam looking north to where
127 ATXI's Primary Route would be located.

128 **Q. What does CCL 2.1 Photo 7 show?**

129 **A.** CCL 2.1 Photo 7 shows the west side of the dam looking to the north where the ATXI
130 power line would be located.

131 **Q. The next four pictures appear to be aerial pictures?**

132 **A.** Yes. CCL 2.1 Photo 8 shows the dark blue water due to the depth of the lake. The dam is
133 approximately 800 feet long and 75 feet tall. The top width of the dam is only 20 feet
134 wide, as shown in the first picture marked with the arrows I drew. CCL 2.1 Photo 9 is

another aerial photograph of the lake which we call Popham Lake. CCL 2.1 Photo 10 is an aerial photo showing how big the lake actually is. CCL 2.1 Photo 11 shows where the dam is located in comparison to the location of the Primary Route.

VI. PRE-EXISTING POWER LINES

Q. Do you have any prior experience with Ameren and its power lines?

A. Yes. Ameren installed a 138,000 volt power line across our property in the late 1970's. Today, we are still having to deal with problems of the line. We were originally paid for damages to our property when the line was installed. However, these damages only cover the problems that show up for a short time after installation. When the 1970's line was installed, the ground was wet and all the equipment was drug around through our fields with bulldozers. The equipment left two-to-three-foot deep ruts and compaction and damage to the soil that has lasted for several years and can be easily seen by the yield reduction in crops. Our past experience with Ameren tells us that there is no way that they can compensate for future damages that will result from the installation of the new line.

VIII. CONCLUSION

Q. What are your conclusions regarding the location of the Primary Route?

A. The location of the Primary Route would affect my livelihood since it has a direct, negative impact on my farming operations. In addition, I have serious concerns about the location of the power lines in close proximity to my house which I just built. Not only would it destroy the majestic view, but if regulations are not followed, I am concerned about the active bald eagle's nest and the resulting harmful effects.

Q. Does this complete your testimony?

158 A. Yes.